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Plaintiff(s),

vs.

Defendant(s).

1. Discovery Cut-Off Date: _____
2. Cut-Off Date for Filing Motion to
Join Parties or Amend Pleadings: _____
3. Cut-Off Date for Filing Motions: _____
4. Expert Witness Exchange Deadline:
Initial _____; Supplemental _____
5. Final Pre-Trial Conference:
_____ at 9:30 a.m.
6. Trial Date: _____ at 9:00
a.m.

1. In General. The Court has established a cut-off date for joining parties or amending pleadings. All motions to join other parties or to amend the pleadings shall be filed and served on, or prior to, the cut-off date. All motions to join other parties or to amend the pleadings shall be noticed for hearing. All unserved parties are subject to dismissal at the time of the Pre-Trial Conference pursuant to Local Rule 16-7.1.
2. Discovery Cut-Off. The Court has established a cut-off date for discovery in this action. All discovery is to be completed on, or prior to, the cut-off date. Accordingly, the following discovery schedule shall apply to this Court.
 - A. Depositions. All depositions shall be scheduled to commence at

1 least five (5) working days prior to the discovery cut-off date. All original
2 depositions to be used in trial shall be lodged with the Courtroom Deputy on the day
3 of trial.

4 B. Discovery Motions. Any motion respecting the inadequacy of
5 responses to discovery must have been heard by the discovery cut-off date. Counsel
6 are expected to strictly comply with all local rules and the Federal Rules of Civil
7 Procedure concerning discovery. Whenever possible, the Court expects counsel to
8 resolve discovery problems among themselves in a courteous, reasonable, and
9 professional manner. The Court expects that counsel will strictly adhere to the
10 Civility and Professional Guidelines adopted by the United States District Court for
11 the Central District of California in July of 1995.

12 LAW AND MOTION:

13 1. The Court has ordered the above cut-off date for the filing of motions
14 in this action. All motions must be noticed so that the hearing takes place in
15 accordance with this Court's directions for setting hearings on the webpage.
16 Counsel shall comply with e-filing procedures and supply courtesy copies to the
17 Court.

18 2. If oral argument is not required, counsel will be advised the week
19 before the hearing date. If oral argument is to be heard, the Court will make every
20 effort to issue a tentative ruling or an outline of issues on which argument should
21 concentrate in advance of the hearing date. Please include your fax number on all
22 pleadings. Counsel should check the district court's website at
23 www.cacd.uscourts.gov under this Judge's profile to find any tentative rulings
24 posted on Thursday afternoon or Friday before the scheduled oral argument.

25 3. All documents are to comply with Local Rule 11-3.1 and shall be
26 prepared in 14-point font or larger or monospaced typeface with no more than 10
27 ½ characters per inch. Counsel are also directed to adhere to Local Rule 11-3.6,
28 requiring that all documents be double spaced, and Local Rule 11-8, requiring that

1 all briefs that exceed 10 pages in length must have a table of contents and a table of
2 authorities.

3 FINAL PRE-TRIAL CONFERENCE:

4 This case has been placed on calendar for a Final Pre-Trial Conference
5 pursuant to Fed.R.Civ.P. 16 and Local Rule 16-7. Unless excused for good cause,
6 each party appearing in this action shall be represented at the Final Pre-Trial
7 Conference by the attorney who is to have charge of the conduct of the trial on
8 behalf of such party. Counsel should be prepared to discuss streamlining the trial,
9 including presentation of testimony by deposition excerpts or summaries, time
10 limits, stipulations as to undisputed facts, and qualification of experts by admitted
11 resumes.

12 STRICT COMPLIANCE WITH THE REQUIREMENT OF LOCAL RULE
13 16-1, et seq., IS REQUIRED BY THE COURT. Therefore, carefully prepared
14 Memoranda of Contentions of Fact and Law, Witness List, Exhibit List, and a
15 proposed Final Pre-Trial Conference Order shall be submitted in accordance with
16 the Rules, and the form of the proposed Final Pre-Trial Order shall be in conformity
17 with the format set forth in the Appendix A to the Local Rules.

18 The Memoranda of Contentions of Fact and Law are due twenty-one (21) days
19 before the Final Pre-Trial Conference, and the proposed Final Pre-Trial Conference
20 Order is to be lodged seven (7) days before the Final Pre-Trial Conference.

21 SETTLEMENT PROCEDURES:

22 A settlement procedure is required in every case pursuant to Local Rule 16-
23 14, et seq. The Court will normally be guided by counsel's agreement as to what
24 procedure is appropriate for this case and when the optimum time for that procedure
25 is. Counsel are responsible for seeing that the settlement procedures are conducted
26 well before the Final Pre-Trial Conference. Not to the exclusion of other
27 procedures, the following are available:

- 28 (1) a settlement conference before the district judge or

magistrate judge assigned to the case; however, the undersigned shall not participate in settlement of a case to be tried without a jury;

- (2) a settlement conference or mediation before an attorney selected from the Attorney Settlement Panel;
- (3) the employment (at the parties' expense) of a private judge, a mediator, or arbitrator.

TRIAL PREPARATION FOR JURY TRIAL - MOTIONS, INSTRUCTIONS AND EXHIBITS:

THE COURT ORDERS that all counsel comply with the following in their preparation for trial:

1. **MOTIONS IN LIMINE**

All motions in limine must be filed no later than twenty-one (21) days before the Final Pre-Trial Conference. There is no need to provide the Court with proposed Orders on the Motions in Limine. The Court will rule on all motions in limine at the Final Pre-Trial Conference. **Failure to file motions in limine on time may result in a continuance of the trial date.**

2. **JURY INSTRUCTIONS/SPECIAL VERDICT FORMS**

Thirty-five (35) days before trial, plaintiff shall serve plaintiff's proposed jury instructions and special verdict forms on defendant. Twenty-eight (28) days before trial, defendant shall serve on plaintiff defendant's objections to plaintiff's instructions together with any additional instructions defendant intends to offer. Twenty-one (21) days before trial, counsel are ordered to meet and confer to attempt to come to agreement on the proposed jury instructions.

Fourteen (14) days before trial, counsel shall file with the Court a JOINT set of jury instructions on which there is agreement.

Reference to the instructions in the *Manual of Model Jury Instructions for the Ninth Circuit*, the *California Book of Approved Jury Instructions Civil*, or the

1 Judicial Council of California Civil Jury Instructions (CACI), shall be by number
2 only. The Court requests only a list of those numbered instructions, which the
3 Court has accessible on its computer. Do not provide written copies of those
4 instructions.

5 Defendant's counsel has the burden of preparing the joint set of jury
6 instructions. At the same time each party shall file its proposed jury instructions
7 which are objected to by any other party, accompanied by points and authorities in
8 support of those instructions and in support of any objections.

9 With respect to the parties' special instructions, each requested instruction
10 shall be set forth in full; be on a separate page; be numbered; cover only one subject
11 or principle of law; and not repeat principles of law contained in any other requested
12 instruction.

13 During the trial and before argument, the Court will meet with counsel and
14 settle the instructions. **Failure of counsel to strictly follow the provisions of this**
15 **section may subject the non-complying party and/or its attorney to sanctions**
16 **and shall constitute a waiver of jury trial.**

17 3. TRIAL EXHIBITS

18 Counsel are to prepare their exhibits for presentation at the trial by
19 placing them in binders which are indexed by exhibit number with tabs or dividers
20 on the right side. Counsel shall submit to the Court an original and one copy of the
21 binders. The exhibits shall be in a three-ring binder labeled on the spine portion of
22 the binder as to the volume number and contain an index of each exhibit included
23 in the volume. Exhibits must be numbered in accordance with Local Rule 16.5.

24 The Court requires that the following be submitted to the Courtroom Deputy
25 Clerk on the first day of trial:

26 a. The original exhibits with the Court's exhibit tags, yellow tags
27 for plaintiff and blue tags for defendant, shall be stapled to the front of the exhibit
28 on the upper right-hand corner with the case number, case name, and exhibit number

1 placed on each tag.

2 b. One bench book with a copy of each exhibit tabbed with numbers
3 as described above for use by the Court. (Court's exhibit tags not necessary.)

4 c. Three (3) copies of exhibit lists.

5 d. Three (3) copies of witness lists in the order in which the
6 witnesses may be called to testify.

7 e. If a daily transcript and/or real time reporting will be requested
8 or is contemplated, the reporter is to be notified at least one week in advance of the
9 trial date.

10 In jury cases where a significant number of exhibits are to be admitted, the
11 Court encourages counsel, preferably by agreement, to consider ways in which
12 testimony about exhibits may be made intelligible to the jury while it is being
13 presented. Counsel may consider such devices as overhead projectors, jury
14 notebooks for admitted exhibits, or blow-ups of important exhibits. The Central
15 District has Elmo equipment which may be available for your use during trial. Call
16 the Court's Space and Facilities Division at (213) 894-1400 to reserve audio visual
17 equipment. Do not plan to pass exhibits up and down the jury box while court is
18 in session.

19 All counsel are to meet not later than ten (10) days before trial and to
20 stipulate, so far as is possible, to foundation, waiver of the best evidence rule, and
21 to those exhibits which may be received into evidence at the start of the trial. The
22 exhibits to be so received will be noted on the extra copies of the exhibit lists.

23 4. MINI OPENING STATEMENTS

24 On the first day of the trial, one attorney for each side is to deliver a mini-
25 opening statement to the prospective jury panel, before jury selection begins. Each
26 statement is to be no more than five minutes in length.

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1 JURY TRIAL:

2 After the initial day of trial, trial days are Tuesday through Friday from 8:00
3 a.m. to 1:30 p.m. with two fifteen-minute breaks, normally at 10:00 a.m. and 12:00
4 p.m. On the first day of trial, the Court will commence at 9:00 a.m. and conclude
5 at 4:00 p.m. with the standard lunch break.

6 The Clerk is ordered to serve a copy of this Order on counsel for all parties
7 to this action

8 DATED this _____ day of _____ 2008.

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11 _____
12 FLORENCE-MARIE COOPER, JUDGE
13 UNITED STATES DISTRICT COURT
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CV FMC(x)

Plaintiff(s),

vs.

Defendant(s).

EXHIBIT LIST

SAMPLE FORMAT

EXH. No.	DESCRIPTION	IDENTIFIED	ADMITTED

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Plaintiff(s),

vs.

Defendant(s).

VS.

Defendant(s).

Defendant(s).

[illegible]